

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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SUZANNE E. FOSS,

Plaintiff,

vs.

MICHAEL J. ASTRUE, Commissioner of
Social Security,

Defendant.

) Case no. 3:09-cv-00518 LRH-RAM

) ORDER

Before the court is Plaintiff's Motion for Fourth Request for Default Judgment and Strike Remand of Case to Social Security Commission (#33)¹ and Defendant's Response to Motion (#34). The court previously entered its order directing Defendant to file a status report relevant to this matter.

On October 19, 2013, Defendant filed its Status Report (#36) indicating that an expedited hearing was held upon Plaintiff's claim and a decision was issued which was partially in Plaintiff's favor, finding disability since November 6, 2002, and indicating that Plaintiff began receiving benefits in October 2013.

It appearing that Defendant, Commissioner of Social Security, has conducted a long delayed hearing concerning Plaintiff, said hearing appears to have been conducted in an expedited fashion in the interest of curing the attendant delay which was pending relative to Plaintiff's claim, and that Plaintiff has received partial relief as a result of the hearing and has had avenues available to her in the event she wished to challenge the award following her hearing, and good cause appearing,

¹ Refers to the court's docketing number.

1 IT IS HEREBY ORDERED that Plaintiff's Motion for Fourth Request for Default
2 Judgment and Strike Remand of Case to Social Security Commission (#33) is hereby DENIED.

3 IT IS SO ORDERED.

4 DATED this 22nd day of November, 2013.

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7 LARRY R. HICKS
8 UNITED STATES DISTRICT JUDGE
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